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FILED
U.S. DISTRICT COURT
2016 JUN 15 A 11: 15
DISTRICT OF UTAH
BY: DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. SCOTT WALTER CHRISTENSEN, Defendant.	FELONY INFORMATION Count 1: 15 U.S.C. §§ 78j(b), 78ff, and 17 C.F.R. § 240.10b-5 and 18 U.S.C. § 2(a) (Securities Fraud; Aiding and Abetting) Count 2: 18 U.S.C. 1001 (False Statement to Federal Agent) Case: 2:16cr00287 Assigned To : Shelby, Robert J. Assign. Date : 6/15/2016 Description: USA v. Christensen

The United States Attorney alleges:

I. BACKGROUND

At all times relevant to this Felony Information:

1. Defendant SCOTT WALTER CHRISTENSEN was a resident of Salt Lake County, Utah.

II. THE SCHEME AND ARTIFICE TO DEFRAUD

2. Beginning in and around 2010 and continuing to and around November 2015, within the Central Division of the District of Utah and elsewhere,

SCOTT WALTER CHRISTENSEN,

defendant herein, devised and intended to devise a scheme to defraud investors, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, and omissions of material facts and did aid and abet, counsel, command, induce, and procure therein.

3. In executing and attempting to execute the scheme and artifice to defraud, and in furtherance thereof, defendant CHRISTENSEN knowingly offered and attempted to offer securities, that is, investments in "The Jackson Trust" or "Lincoln Financial Group", and by the use of means and instruments of transportation and communication and interstate commerce, that is, wire communications, directly and indirectly, and did willfully (1) employ a device, scheme, and artifice to defraud; (2) make untrue statements of material fact and omit to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (3) engage in acts, transactions, practices, and courses of business which would operate and did operate as a fraud and deceit upon other persons, in violation of 15 U.S.C. §§ 78j(b), 78ff, and 17 C.F.R. § 240.10b-5 (Securities Fraud).

4. In executing and attempting to execute the scheme and artifice to defraud, defendant CHRISTENSEN knowingly did aid and abet, counsel, command, induce, and procure therein, in violation of 18 U.S.C. § 2 (Aiding and Abetting).

III. OBJECT OF THE SCHEME AND ARTIFICE TO DEFRAUD

5. It was the object of the scheme and artifice to defraud for defendant CHRISTENSEN to fraudulently obtain money from investors and lull investors into a false sense of security about their investments through false statements, misrepresentations, deception, and omissions of material facts, and thereafter cause a portion of the investment money to be diverted for defendant CHRISTENSEN's personal use and benefit.

IV. MANNER AND MEANS OF THE SCHEME AND ARTIFICE TO DEFRAUD

6. It was part of the scheme and artifice to defraud that defendant CHRISTENSEN, in an effort to lull investor victims into a false sense of security about their investments, posed as a fictitious person named David Williams who was allegedly the direct supervisor of co-conspirator Thomas Edward Andrews. As David Williams, defendant CHRISTENSEN knowingly made misrepresentations to investors that their investments were secure and that he oversaw the activities of Andrews. He also misrepresented investors' true account balances.

7. It was part of the scheme and artifice to defraud that defendant CHRISTENSEN and co-conspirator Andrews would drive or fly to California to mail fraudulent and inflated account statements to investor victims.

Count 1
15 U.S.C. §§ 78j(b), 78ff, and 17 C.F.R. § 240.10b-5
18 U.S.C. § 2
(Securities Fraud; Aiding and Abetting)

8. The allegations set forth above and all counts set forth in this Information are incorporated herein by reference and realleged as though fully set forth herein.

9. Beginning in and around 2010 and continuing to and around November 2015, within the Central Division of the District of Utah and elsewhere,

SCOTT WALTER CHRISTENSEN,

defendant herein, willfully, knowingly, and with intent to defraud, in the purchase and sale of securities, that is, investments in "The Jackson Trust" or "Lincoln Financial Group", and by the use of means and instruments of transportation and communication and interstate commerce, that is, wire communications, directly and indirectly, did (1) employ a device, scheme, and artifice to defraud; (2) make untrue statements of material fact and omit to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (3) engage in acts, transactions, practices, and courses of business which would operate and did operate as a fraud and deceit upon other persons, as more particularly described for each count below and did aid and abet, counsel, command, induce, and procure therein:

COUNT	DATE (on or about)	USE OF INTERSTATE MEANS
1	10/23/2013	Wire transfer of $50,000.00 from T.K.C. to Jackson Living Trust checking account number xx0110.

All in violation of 15 U.S.C. §§ 78j(b), 78ff, and 17 C.F.R. § 240.10b-5 and 18 U.S.C. § 2(a).

Count 2
18 U.S.C. § 1001
(False Statement to Federal Agent)

10. The allegations set forth above and all counts set forth in this Information are incorporated herein by reference and realleged as though fully set forth herein.

11. On or about October 14, 2015, within the Central Division of the District of Utah and elsewhere,

SCOTT WALTER CHRISTENSEN,

defendant herein, did knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the Federal Bureau of Investigation of the Department of Justice of the executive branch of the government of the United States, by affirmatively stating and representing to agents that he did not know anything about a David Williams. The statement and representation were false because, as defendant CHRISTENSEN then and there knew, he had pretended to be and portrayed himself as David

Williams, and he used this fabricated persona to lull investors into a false sense of security about their investments.

All in violation of 18 U.S.C. § 1001.

NOTICE OF INTENT TO SEEK FORFEITURE

Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), upon conviction of any offense in violation of 15 U.S.C. §§ 78j(b), 78ff, and 17 C.F.R. § 240.10b-5, as set forth in this Information, the defendant shall forfeit to the United States of America all property, real or personal, that constitutes or is derived from proceeds traceable to the scheme to defraud.

The property to be forfeited includes, but is not limited to, the following:

- MONEY JUDGMENT in the approximate amount of $1,000,000.00, representing the value of the proceeds obtained by the defendant in connection with the above-referenced offenses.

SUBSTITUTE ASSETS

If any of the above-described forfeitable property, as a result of any act or omission of the defendant,

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to 28 U.S.C. § 2461(c) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above-forfeitable property.

Dated this 15th day of June 2016.

JOHN W. HUBER
United States Attorney

JACOB J. STRAIN
Assistant United States Attorney